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10 Attorneys for Defendants
11 ELY EDDI, DIGITAL DATA DEVICES,
INC., and DIGITAL IN THE HOUSE, INC.

12 **UNITED STATES DISTRICT COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**
14 **SAN FRANCISCO DIVISION**

15 MONSTER CABLE PRODUCTS, INC. and) Case No. 3:12-cv-00250-RS
16 MONSTER CABLE, LLC,) ORDER
Plaintiffs,) STIPULATION AND NOTICE OF
v.) WITHDRAWAL WITHOUT PREJUDICE
JEFF FELDMAN, ELY EDDI, DIGITAL) OF DEFENDANTS' APPLICATION FOR
DATA DEVICES, INC., and DIGITAL IN THE) WRIT OF EXECUTION AND
HOUSE, INC.,) PLAINTIFFS' MOTION FOR A STAY OF
Defendants.) EXECUTION PENDING APPEAL

1 Pursuant to Local Rules 7-7(e) and 7-12, Defendants ELY EDDI (“EDDI”), DIGITAL
2 DATA DEVICES, INC. and DIGITAL IN THE HOUSE, INC. (collectively the “Defendants”), and
3 Plaintiffs MONSTER CABLE PRODUCTS, INC. and MONSTER CABLE, LLC, (collectively,
4 “MONSTER”), by and through their respective counsel of record, hereby stipulate as follows:

5 WHEREAS, on June 5, 2013, Defendants filed an application for a Writ of Execution (the
6 “Writ Application,” Docket No. 90) in connection with the Court’s Order Re Motion for Attorney
7 Fees, dated and entered on February 27, 2013, which awarded attorneys fees in favor of Defendants
8 and against Plaintiffs in the amount of \$40,000 (the “Fees Award,” Docket No. 78), the full amount
9 of which remains unpaid.

10 WHEREAS, on June 10, 2013, MONSTER filed a motion to stay enforcement of the Court’s
11 Order Re Attorney (the “Stay Motion,” Docket No. 92), pending Plaintiffs’ appeal and Defendants’
12 cross-appeal of the Fees Award (the “Appeals”);

13 WHEREAS, the parties have agreed to a mediation of this action, including the issues raised
14 in the Stay Motion and Writ Application, before the mediator appointed by 9th Circuit Court of
15 Appeals;

16 WHEREAS, the parties, as a result of the foregoing, have agreed to, *inter alia*: (1) stay their
17 presently pending arbitration before the American Arbitration Association (the “AAA Arbitration”)
18 until the conclusion of the mediation, without prejudice to any party with respect to the schedule
19 they propose to the arbitration panel for completing the arbitration, including without limitation the
20 dates they seek for a final arbitration hearing, and without prejudice to the right of any party hereto
21 to declare the mediation concluded after the first day of the mediation; (2) withdraw without
22 prejudice the Stay Motion and Writ Application and refrain from any and all other efforts to enforce
23 the Fee Award until entry of a final award in the AAA Arbitration or dismissal of the arbitration; and

1 (3) stay the Appeals until a final judgment is entered in the district court or dismissal of the action.

2 NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the parties, through
3 their respective counsel, as set forth above and, without limitation thereof, that the Stay Motion and
4 Writ Application be withdrawn without prejudice to any of the parties' rights, all of which are
5 expressly reserved.

6 DATED: August 7, 2013

Respectfully submitted,

7 OVED & OVED LLP

8 By: _____ /S/
9 Darren Oved

10 *Attorneys for Defendants*
11 ELY EDDI, DIGITAL DATA DEVICES, INC., and
12 DIGITAL IN THE HOUSE, INC.

13 SIDEMAN & BANCROFT LLP

14 By: _____ /S/
15 Rodney Patula

16 *Attorneys for Plaintiffs*
17 MONSTER CABLE PRODUCTS, INC. and
18 MONSTER, LLC

19 PURSUANT TO STIPULATION,
20 IT IS HERBY SO ORDERED:



Richard Seeborg
United States District Judge

Dated: 8/16/13